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1	Patricia M. Leary, Esq. (SB# 95514) NELSON, PERLOV & LEE		
2	339 So. San Antonio Road		
3	Los Altos, CA 94022 Telephone (650) 941-6161		
4	Facsimile (650) 949-0695		
	Attorneys for Defendant		
5	WESTFIELD, LLC		
6			
7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10			
11	THOMAS VAN ZANDT,) Case No. 5:07-CV-04987 JF	
12	Plaintiff,)) (proposed)	
13	vs.	ORDER OF DISMISSAL OF DEFENDANT WESTFIELD LLC	
14	CITY OF SAN JOSE, et al.,)	
15	Defendants.))	
16		MANIFERENCESCATURE)	
17	Pursuant to plaintiff's request for dismi-	ssal, a copy of which is attached hereto as Exhibit A, it is	
18	hereby ordered that defendant Westfield LLC	C is dismissed from this action, with prejudice, each side	
19	to bear their own attorney's fees and costs.		
20	Dated: <u>2/23/09</u>	8	
21	and the state of t	HON. JEREMY FOGEL JUDGE OF THE U.S. DISTRICT COURT	
		NORTHERN DISTRICT OF CALIFORNIA	
22			
23	·		
24			
25			
	ORDER OF DISMISSAL OF DEFENDANT WESTFI	ELD LLC	

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1 2 3	Robert R. Powell, Esq. Dennis R. Ingols, Esq. OFFICES OF ROBERT R. POWELL 925 W. Hedding Street San Jose, CA 95126			
4	Telephone: (408) 553 0200 Facsimile: (408) 553 0203			
5	Attorneys for Plaintiff THOMAS VAN ZANDT			
6				
7 8	UNITED STATE	S DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA			
10				
11	THOMAS VAN ZANDT,) Case No. 5:07-CV-04987 JF		
12	Plaintiff,) REQUEST FOR DISMISSAL OF		
13	vs.) DEFENDANT WESTFIELD LLC)		
14	CITY OF SAN JOSE, et al.,)		
15	Defendants.))		
16		YEVO OF DECODD.		
17	TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:			
18	PLEASE TAKE NOTICE that plaintiff THOMAS VAN ZANDT requests that defendant			
19	WESTFIELD LLC only be dismissed with prejudice from this action. Each side to bear their own			
20	attorney's fees and costs.			
21	Dated: February 1, 2009 OF	FICES OF ROBERT R. POWELL		
22	By:	Dinesols		
23	ROBERT R. POWELL Attorneys for Plaintiff			
24	THOMAS VAN ZANDT			
25		1 2		
	REQUEST FOR DISMISSAL OF DEFENDANT WESTFIE 5:07-CV-04987 JF	LD LLC - 1 —		

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United State District Court Action No. 5:07-CV-04987-JF

I declare that:

I am employed in the County of Santa Clara, California. I am over the age of eighteen years and not a party to the within cause; my business address is: 339 South San Antonio Road, Los Altos, California 94022. On the date listed below, I served the within **REQUEST FOR DISMISSAL** on the parties in said cause,

- By ECF/Pacer efiling;
- o By facsimile transmission during regular business hours to the telephone number[s] below.
- o By PERSONAL SERVICE at the address listed below.
- o By placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Altos, addressed as follows:

Attorneys For: plaintiff THOMAS VAN ZANDT Robert R. Powell, Esq. Dennis R. Ingols, Esq. Offices of R. Powell 925 W. Hedding Street San Jose, CA 95126 (408) 553 0200 fax (408) 553 0203	Attorneys for: PROFESSIONAL SECURITY CONSULTANTS; DANIEL GARCIA; RYAN SCOTT Sejal Ojha, Esq. Kenneth S. Kawabata, Esq. Manning& Marder 550 West "C" Street #1900 San Diego, CA 92101 (619) 515 0269 fax (619) 515 0268 (213-624-6900 – Los Angeles)
Co-counsel for: PROFESSIONAL SECURITY CONSULTANTS; DANIEL GARCIA; RYAN SCOTT Sejal Ojha, Esq. Manning & Marder One California Street #1100 San Francisco, CA 94111 (415) 217 6990 fax (415) 217 6999	Attorneys for: CITY OF SAN JOSE; OFFICER DANIEL PFEIFER, OFFICER MARK NATIVIDAD, OFFICER ANTHONY WEIR AND OFFICER HIGGINS Richard Doyle, Esq., City Attorney Nora Frimann, Esq., Chief Trial Attorney Michael R. Groves, Esq., Sr. Deputy City Attorney Steven Dippell, Esq., Sr. Deputy City Attorney Office of the City Attorney 200 East Santa Clara Street San Jose, CA 95113-1905 (408) 535-1900 fax (408) 998-3131
	EXHIBIT #

Thomas Van Zanat vs. Westfield Gakriage Mall 57 Filed 02/24/09 Page 4 of 6

United State District Court Action No. 5:07-CV-04987-JF

 Attorneys for:
 SAMANTHA FEIN

 David J. Stock, Esq.
 Steven Sheriff Abern, Esq.

 Rankin, Landsness et al
 Haapala, Thompson & Abern, LLP

 96 N. Third Street #500
 1939 Harrison Street #800

 San Jose, CA 95112-5572
 Oakland, CA 94612

 (408) 293 0463 fax (408) 293 9514
 (510) 763 2324 fax (510) 273 8570

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 9, 2009, at Los Altos, California.

RANDE A. HARRIS

(name)

(signature)

-PROOF OF SERVICE-

1 2

San Jose, CA 95113-1905

-PROOF OF SERVICE-

(408) 535-1900 fax (408) 998-3131

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Case 5:07-cy-04987-JF Document 57 Filed 02/24/09 Page 6 of 6 Thomas Van Zandt vs. Westfield Oakridge Mall United State District Court Action No. 5:07-CV-04987-JF **Attorneys for: SAMANTHA FEIN** Co-counsel for: SAMANTHA FEIN 1 Steven Sheriff Abern, Esq. David J. Stock, Esq. 2 Haapala, Thompson & Abern, LLP Rankin, Landsness et al 1939 Harrison Street #800 96 N. Third Street #500 3 San Jose, CA 95112-5572 Oakland, CA 94612 (510) 763 2324 fax (510) 273 8570 (408) 293 0463 fax (408) 293 9514 4 5 I declare under penalty of perjury that the foregoing is true and correct and that this declaration 6 was executed on February 9, 2009, at Los Altos, California. 7 RANDE A. HARRIS (name) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25